

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 683
95TH GENERAL ASSEMBLY

Reported from the Committee on Transportation, April 15, 2009, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1576S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to license plates.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 301.140, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 301.140, to read as follows:

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer,
2 the certificate of registration and the right to use the number plates shall expire
3 and the number plates shall be removed by the owner at the time of the transfer
4 of possession, and it shall be unlawful for any person other than the person to
5 whom such number plates were originally issued to have the same in his or her
6 possession whether in use or not, **unless such possession is solely for**
7 **charitable purposes**; except that the buyer of a motor vehicle or trailer who
8 trades in a motor vehicle or trailer may attach the license plates from the
9 traded-in motor vehicle or trailer to the newly purchased motor vehicle or
10 trailer. The operation of a motor vehicle with such transferred plates shall be
11 lawful for no more than thirty days. As used in this subsection, the term
12 "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer
13 sold by the buyer of the newly purchased vehicle or trailer, as long as the license
14 plates for the trade-in motor vehicle or trailer are still valid.

15 2. In the case of a transfer of ownership the original owner may register
16 another motor vehicle under the same number, upon the payment of a fee of two
17 dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a
18 passenger-carrying commercial motor vehicle) seating capacity, not in excess of
19 that originally registered. When such motor vehicle is of greater horsepower,
20 gross weight or (in the case of a passenger-carrying commercial motor vehicle)

21 seating capacity, for which a greater fee is prescribed, applicant shall pay a
22 transfer fee of two dollars and a pro rata portion for the difference in fees. When
23 such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying
24 commercial motor vehicle) seating capacity, for which a lesser fee is prescribed,
25 applicant shall not be entitled to a refund.

26 3. License plates may be transferred from a motor vehicle which will no
27 longer be operated to a newly purchased motor vehicle by the owner of such
28 vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased
29 vehicle is of horsepower, gross weight or (in the case of a passenger-carrying
30 commercial motor vehicle) seating capacity, not in excess of that of the vehicle
31 which will no longer be operated. When the newly purchased motor vehicle is of
32 greater horsepower, gross weight or (in the case of a passenger-carrying
33 commercial motor vehicle) seating capacity, for which a greater fee is prescribed,
34 the applicant shall pay a transfer fee of two dollars and a pro rata portion of the
35 difference in fees. When the newly purchased vehicle is of less horsepower, gross
36 weight or (in the case of a passenger-carrying commercial motor vehicle) seating
37 capacity, for which a lesser fee is prescribed, the applicant shall not be entitled
38 to a refund.

39 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has
40 made application for registration, by mail or otherwise, may operate the same for
41 a period of thirty days after taking possession thereof, if during such period the
42 motor vehicle or trailer shall have attached thereto, in the manner required by
43 section 301.130, number plates issued to the dealer. Upon application and
44 presentation of **proof of financial responsibility as required under**
45 **subsection 5 of this section and** satisfactory evidence that the buyer has
46 applied for registration, a dealer may furnish such number plates to the buyer for
47 such temporary use. In such event, the dealer shall require the buyer to deposit
48 the sum of ten dollars and fifty cents to be returned to the buyer upon return of
49 the number plates as a guarantee that said buyer will return to the dealer such
50 number plates within thirty days. The director shall issue a temporary permit
51 authorizing the operation of a motor vehicle or trailer by a buyer for not more
52 than thirty days of the date of purchase.

53 5. The temporary permit shall be made available by the director of
54 revenue and may be purchased from the department of revenue upon proof of
55 purchase of a motor vehicle or trailer for which the buyer has no registration
56 plate available for transfer **and upon proof of financial responsibility, or**

57 from a dealer upon purchase of a motor vehicle or trailer for which the buyer has
58 no registration plate available for transfer. The director shall make temporary
59 permits available to registered dealers in this state or authorized agents of the
60 department of revenue in sets of ten permits. The fee for the temporary permit
61 shall be seven dollars and fifty cents for each permit or plate issued. No dealer
62 or authorized agent shall charge more than seven dollars and fifty cents for each
63 permit issued. The permit shall be valid for a period of thirty days from the date
64 of purchase of a motor vehicle or trailer, or from the date of sale of the motor
65 vehicle or trailer by a dealer for which the purchaser obtains a permit as set out
66 above. **No permit shall be issued for a vehicle under this section unless**
67 **the buyer shows proof of financial responsibility.**

68 6. The permit shall be issued on a form prescribed by the director and
69 issued only for the applicant's use in the operation of the motor vehicle or trailer
70 purchased to enable the applicant to legally operate the vehicle while proper title
71 and registration plate are being obtained, and shall be displayed on no other
72 vehicle. Temporary permits issued pursuant to this section shall not be
73 transferable or renewable and shall not be valid upon issuance of proper
74 registration plates for the motor vehicle or trailer. The director shall determine
75 the size and numbering configuration, construction, and color of the permit.

76 7. The dealer or authorized agent shall insert the date of issuance and
77 expiration date, year, make, and manufacturer's number of vehicle on the permit
78 when issued to the buyer. The dealer shall also insert such dealer's number on
79 the permit. Every dealer that issues a temporary permit shall keep, for
80 inspection of proper officers, a correct record of each permit issued by recording
81 the permit or plate number, buyer's name and address, year, make,
82 manufacturer's vehicle identification number on which the permit is to be used,
83 and the date of issuance.

84 8. Upon the transfer of ownership of any currently registered motor
85 vehicle wherein the owner cannot transfer the license plates due to a change of
86 vehicle category, the owner may surrender the license plates issued to the motor
87 vehicle and receive credit for any unused portion of the original registration fee
88 against the registration fee of another motor vehicle. Such credit shall be granted
89 based upon the date the license plates are surrendered. No refunds shall be
90 made on the unused portion of any license plates surrendered for such credit.

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